

**05.04.2022**

Sl. 52  
Court No.29  
suvayan  
(rejected)

**C.R.M. (DB) 899 of 2022**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.03.2022 in connection with **Kalyani** P.S. case No. **131 of 2021** dated **24/07/2021** under Section **302** of the Indian Penal Code, 1860.

And

In the matter of: Sudipta Das

....petitioner.

Ms. Rupsa Sreemani

...for the petitioner.

Mr. Madhusudan Sur

Mr. Dipankar Paramanick

...for the State.

Mr. Sourav Chatterjee

Mr. Aniruddha Bhattacharya

...for the de facto complainant.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 224 days. He refers to the statement of a person recorded under Section 164 of the Criminal Procedure Code. He draws the attention of the Court to the fact that the incident is on July 21, 2021 and that the statement was recorded on August 31, 2021. Apart from the statement of such person claiming that the petitioner was last seen with the victim there is no other evidence as against the petitioner.

Learned Advocate appearing for the State submits that apart from the statement recorded under Section 164 of the Criminal Procedure Code, there are three other persons recording statements under Section 161 of the Criminal Procedure Code claiming that the petitioner was last seen with the victim. The offending weapon was recovered on his leading statement.

The de facto complainant is represented.

Considering the gravity of the offence and the involvement of

the petitioner therein as prima facie transpiring from the materials in the case diary, we are unable to enlarge on bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

**C.R.M. (DB) 899 of 2022** is dismissed.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**